

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KATIE MILLIO, IRENE JOHNSON,
JANINE HELLER and TOMAYITA
STEVENSON,

Plaintiffs,

vs.

WHITMAN EDUCATION GROUP,
INC., CAREER EDUCATION
CORPORATION, ULTRASOUND
DIAGNOSTIC SCHOOL and LOUIS
GIANELLI,

Defendants.

CASE NUMBER: 04-30130-MAP

**DECLARATION OF MARK GRIESBAUM IN SUPPORT OF
DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL**

I, Mark Griesbaum, hereby declare:

1. I am currently employed by Career Education Corporation ("CEC") as the Chief Information Officer. I submit this Declaration in support of Defendants' Opposition to Plaintiffs' Motion to Compel.
2. During October 2004, CEC copied all emails from Sanford Brown Institute – Springfield (the school formerly known as Ultrasound Diagnostic School – Springfield ("UDS")) that were stored on Whitman Education Group's ("Whitman") server onto its own document retention computer system.
3. Whitman's server included only a current set of UDS's emails because when Whitman owned the UDS schools, emails were backed up every Thursday as a full backup, and

incremental backups occurred Monday through Wednesday. These backup tapes were rotated (written over) every 3 weeks.

4. CEC does not have any backup tapes of UDS emails other than those copied onto the CEC system in October 2004.

5. Under my direction, CEC searched the emails from UDS that were stored on Whitman's server for any emails between Defendant Giannelli and any Plaintiff and none were found.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing information is true and correct, based upon my knowledge, information and belief.

Date:

11/17/05



Mark Griesbaum